

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION**

**MELISSA ANN GLAROS**

**PLAINTIFF**

**V.**

**CASE NO. 5:19-cv-05151**

**TEACHERS CREDIT UNION; and  
DOES 1-10**

**DEFENDANTS**

**OPINION AND ORDER**

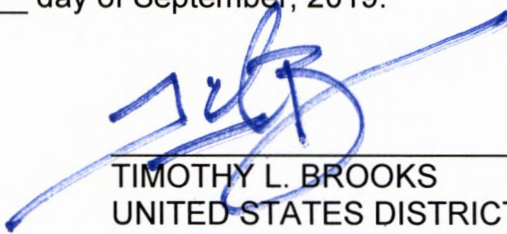
Plaintiff, Melissa Ann Glaros ("Glaros"), filed this action under the Fair Debt Collection Practices Act. Glaros proceeds *pro se* and *in forma pauperis*.

By Order (Doc. 5) entered on August 7, 2019, Glaros was directed to file an amended complaint. The amended complaint was to be filed by August 28, 2019. Glaros was advised that failure to comply with the Order "shall result" in the dismissal of the case. To date, Glaros has not filed an amended complaint. Glaros has not sought an extension of time to comply with the Order. No mail has been returned as undeliverable.

The Federal Rules of Civil Procedure specifically contemplate dismissal of a case on the ground that the plaintiff failed to prosecute or failed to comply with an order of the court. Fed. R. Civ. P. 41(b); *Line v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (stating that the district court possesses the power to dismiss *sua sponte* under Rule 41(b)). Pursuant to Rule 41(b), a district court has the power to dismiss an action based on "the plaintiff's failure to comply with *any* court order." *Brown v. Frey*, 806 F.2d 801, 803-04 (8th Cir. 1986) (emphasis added). Additionally, Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas requires parties appearing *pro se* to monitor the case, and to prosecute or defend the action diligently.

Therefore, pursuant to Rule 41(b), this Complaint should be and hereby is **DISMISSED WITHOUT PREJUDICE** based on Glaros' failure to prosecute this case, her failure to obey the order of the Court, and her failure to comply with Local Rule 5.5(c)(2). Fed. R. Civ. P. 41(b).

IT IS SO ORDERED on this 10<sup>th</sup> day of September, 2019.



TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE